

SAC control
9/19/11

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. Contracting Activity:

Department of Veterans Affairs, VISN 15, St Louis VA Medical Center
Endoscopic Ultrasound
657-11-4-1705-0250

2. Nature and/or Description of the Action Being Processed:

The St Louis VA Medical Center is requesting the acquisition of an endoscopic ultrasound. This will be a new one-time buy contract. It will be firm fixed price.

3. Description of Supplies/Services Required to Meet the Agency's Needs:

The requirements of this bid are included in the SOW. See separate attachment. The value of the award is \$646,078.12.

4. Statutory Authority Permitting Other than Full and Open Competition:

- (X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
() (2) Unusual and Compelling Urgency per FAR 6.302-2;
() (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
() (4) International Agreement per FAR 6.302-4
() (5) Authorized or Required by Statute FAR 6.302-5;
() (6) National Security per FAR 6.302-6;
() (7) Public Interest per FAR 6.302-7;

5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):

We are requesting the following authority be used: a. Only One Responsible Source (FAR 6.302-1).

Olympus is the only vendor that produces a specialized endoscopic ultrasound (EUS) that meets the minimum technical and performance specifications set forth in the SOW. This conclusion is based on the facility's market research and the fact that Olympus was the only vendor who bid on two separate RFQs.

6. Description of Efforts made to ensure that offers are solicited from as many potential sources as deemed practicable:

Two separate RFQs were issued and only one vendor bid each time. The first via NAC contract holders and the second via FSS e-Buy. The only vendor to respond does not have the majority of the required equipment on either contract.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

The price is fair and reasonable to the Government based upon the fact that the equipment was competed via NAC contract holders and on GSA. The offered price from the vendor is \$186,000 less than their normal list price.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons

Market Research Was Not Conducted:

From consultation with local Gastroenterology staff and internet research, we did not find any other vendors that produce this particular device that meets the minimum specifications set forth in the SOW.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition:

N/A

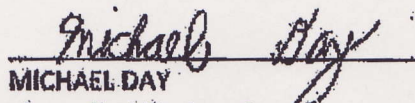
10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

Olympus

11. A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:

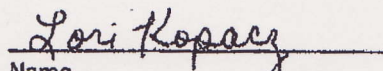
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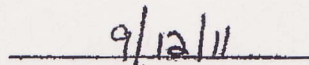
12. Requirements Certification: I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.


MICHAEL DAY
Biomedical Engineering
St Louis VA Medical Center

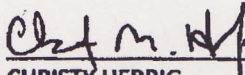
13. Approvals in accordance with FAR 6.304 This part is filled out by Contracting Staff as part of the Justification

a. Contracting Officer's Certification: (required) I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


Name
CONTRACTING OFFICER
Facility


Date

b. **VISN/PCA QA:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief. *This signature may be the VISN NCM/PCM if the Contracting Officer and Contracting Supervisor is the same individual.


CHRISTY HERBIG
QUALITY ASSURANCE COMPLIANCE MANAGER
VISN 15

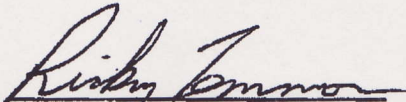
9/13/11
Date

c. **NCM/PCM:** I certify the justification meets requirements for other than full and open competition.


BERNADETTE COTHERN
NETWORK CONTRACT MANAGER
VISN 15

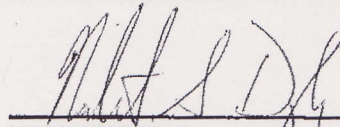
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Date

d. **SAO:** I certify the justification meets requirements for other than full and open competition.


PAMELA J. SANDERS
DIRECTOR
SAO CENTRAL REGION

9/19/11
DATE

e. **VHA HCA's Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (over \$50 million), approve (up to \$ 50 million) for other than full and open competition.


NORBERT DOYLE
ACTING CHIEF PROCUREMENT OFFICER
VHA, HEAD OF CONTRACTING ACTIVITY

9/26/11
DATE